

278.410 Action to review order of commission -- Institution -- Answer -- Injunction.

- (1) Any party to a commission proceeding or any utility affected by an order of the commission may, within thirty (30) days after service of the order, or within twenty (20) days after its application for rehearing has been denied by failure of the commission to act, or within twenty (20) days after service of the final order on rehearing, when a rehearing has been granted, bring an action against the commission in the Franklin Circuit Court to vacate or set aside the order or determination on the ground that it is unlawful or unreasonable. Service of a commission order is complete three (3) days after the date the order is mailed. Notice of the institution of such action shall be given to all parties of record before the commission.
- (2) The answer of the commission shall be served and filed within twenty (20) days after service of the complaint. The action shall then be at issue and stand ready for trial upon ten (10) days' notice to either party, on the equity side of the docket of the court. The answer need not deny verbatim the allegations of the petition, but a general denial thereof on behalf of the commission shall be sufficient.
- (3) Injunctive relief may be granted by the Circuit Court in the manner and upon the terms provided by law.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 142, sec. 2, effective July 15, 1994. -- Amended 1978 Ky. Acts ch. 379, sec. 48, effective April 1, 1979. -- Amended 1976 Ky. Acts ch. 88, sec. 13, effective March 29, 1976. -- Amended 1952 Ky. Acts ch. 46, sec. 4, effective March 5, 1952. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 3952-44, 3952-45, 3952-46.